

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : JANG, Kyung-Hun et al. Art Unit: 2617
Serial No. : 10/612,141 Examiner: Mon Cheri S. DAVENPORT
Filed : July 2, 2003 Conf. No.: 3347
Title : RELIABLE MULTICAST DATA RETRANSMISSION METHOD BY GROUPING WIRELESS
TERMINALS IN WIRELESS COMMUNICATION MEDIUM AND APPARATUS FOR THE SAME

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance in pages 2-3 of Notice of Allowability/PTOL-37, mailed January 27, 2009, in which the Examiner indicated that claims 1-16, renumbered, were allowed for the reasons noted therein.

As specified in MPEP 1302.14, “care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims.” It is submitted that the Examiner’s Statement does not meet these standards and, instead, raises “possible misinterpretations... and possible estoppel effects” (MPEP 1302.14) and, accordingly, should be disregarded. For example, the Examiner’s statement that independent claims “are allowable because the closest prior art...fails to anticipate or render obvious *the concept of...*” (emphasis added), and the broad second statement that prior art “discloses reliable multicast method, but does not...{citing only portion of, for example, claim 1}” raises possible misinterpretations as the claims speak for themselves. Moreover, it is submitted that dependent claims also speak for themselves.

That is, it is submitted that the claims noted above are not constrained by such limitations, if any, noted in the Examiner’s Statement and that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Respectfully submitted,
By:_____/Charles Y. Park/_____
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